

EXHIBIT D

Comparison of Rule 30(b)(6) Deposition Notices Directed to Sunoco**I. October 11 Notice**

	Designated Issue from October 11 Notice	Response, including Duplicative Designated Issue(s) from July 9 Notice and Testimony from October 16-17 Rule 30(b)(6) Deposition
1	Designated Issue ("DI") 1 (Did PRSOC manufacture gasoline containing MTBE at Yabucoa?)	Answer: No. See DIs 3, 7 (re supply of gasoline and MTBE within the Commonwealth, including process by which gasoline was acquired, stored and delivered, and transactions related to supply of gasoline at, to or from any facility, including Yabucoa); DIs 11-12 (re the acquisition of gasoline or MTBE at, to or from any facility, "including ... the Yabucoa facility"); DIs 17-18 (re operations at any facility from which gasoline or MTBE was acquired, stored, blended and/or refined, including Yabucoa); Tr. at 46:19-24 ("Q. Did Yabucoa, at any time, Puerto Rico Sun Oil, distribute gasoline from the facility? A: No. The Yabucoa ... refinery did not make final gasoline."); Tr. at 85:21-86:14 ("Q. Do you know if Puerto Rico Sun Oil ever tested for MTBE ... as part of its remediation or investigation at the Yabucoa facility? ... [A.] There was no reason for testing MTBE in Yabucoa. In Yabucoa, there was never MTBE brought to the refinery.").
2	DI 2 (Did Sunoco blend MTBE into gasoline at the Yabucoa facility?)	Answer: No. See Row 1, above.
3	DI 3 (Did PRSOC manufacture/refine gasoline from naphtha?)	Answer: No. See DI 3 (re supply of gasoline within the Commonwealth, including process by which gasoline was acquired, stored and delivered, and transactions related to supply of gasoline at, to or from any facility, including Yabucoa); DI 11 (re the acquisition of gasoline at, to or from any facility, "including ... the Yabucoa facility"); DI 17 (re operations at any facility from which gasoline was acquired, stored, blended and/or refined, including Yabucoa); Tr. at 46:19-24 ("Q. Did Yabucoa, at any time, Puerto Rico Sun Oil, distribute gasoline from the facility? A: No. The Yabucoa ... refinery did not make final gasoline.").

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4	DI 4 (Was MTBE ever used as an octane enhancer in gasoline at the PRSOC facility?)	Answer: No. See DIs 7-10 (re supply and delivery of MTBE to and within the Commonwealth, including process by which MTBE was acquired, stored and delivered); DI 12 (re the acquisition of MTBE at, to or from any facility, "including ... the Yabucoa facility"); DI 18 (re operations at any facility from which MTBE was acquired, stored, blended and/or refined, including Yabucoa); Tr. at 46:19-24 ("Q. Did Yabucoa, at any time, Puerto Rico Sun Oil, distribute gasoline from the facility? A: No. The Yabucoa ... refinery did not make final gasoline."); Tr. at 85:21-86:14 ("Q. Do you know if Puerto Rico Sun Oil ever tested for MTBE ... as part of its remediation or investigation at the Yabucoa facility? ... [A.] There was no reason for testing MTBE in Yabucoa. In Yabucoa, there was never MTBE brought to the refinery.").
5	DI 5 (Did Sunoco purchase MTBE for delivery to the Yabucoa facility?)	Answer: No. See Row 4, above.
6	DI 6 (Did Sunoco ever deliver MTBE to the Yabucoa facility?)	Answer: No. See Row 4, above.
7	DI 7 (Do you have records re gasoline delivered to Puerto Rico that was manufactured/refined at the Sunoco refinery?)	Answer: Assuming the "Sunoco refinery" means the Yabucoa facility, then the answer is no; potentially relevant documents have been or will be produced. See DIs 2-5 (re supply and delivery of gasoline to and within the Commonwealth, including process by which gasoline was acquired, stored and delivered, and transactions related to delivery of gasoline at, to or from any facility, "including ... the Yabucoa facility"); DI 11 (re the acquisition of gasoline at, to or from any facility, "including ... the Yabucoa facility") Tr. at 46:19-24 ("Q. Did Yabucoa, at any time, Puerto Rico Sun Oil, distribute gasoline from the facility? A: No. The Yabucoa ... refinery did not make final gasoline.").
8	DI 8 (re each shipment of MTBE to the Yabucoa facility)	Answer: There were no such shipments. See Row 4, above.

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9	DI 9 (Did Sunoco receive MTBE at any marine terminal in Puerto Rico?)	Answer: No. <i>See</i> DIs 7-10 (re supply and delivery of MTBE to and within the Commonwealth, including process by which MTBE was acquired, stored and delivered); DI 12 (re the acquisition of MTBE at, to or from any facility, including the Guayanilla and Catano marine terminals); <i>see also</i> , e.g., Tr. at 112:15-113:3; 176:4-5 (PRSOC "did not purposely use MTBE").
10	DI 10 (re each shipment of MTBE to a marine terminal in Puerto Rico that Sunoco received)	Answer. Not applicable; no such shipments received. <i>See</i> Row 9, above.
11	DI 11 (re specifications of gasoline made at the Yabucoa facility)	Answer: No gasoline was made at Yabucoa; all potentially relevant documents have been or will be produced. <i>See</i> DI 3 (re supply of gasoline within the Commonwealth, including process by which gasoline was acquired, stored and delivered; all relevant contracts and agreements; and transactions related to supply of gasoline at, to or from any facility, including Yabucoa); DI 11 (re the acquisition of gasoline at, to or from any facility, "including ... the Yabucoa facility"); DI 17 (re operations at any facility from which gasoline was acquired, stored, blended and/or refined, including Yabucoa); Tr. at 46:19-47:1 ("Q. Did Yabucoa, at any time, Puerto Rico Sun Oil, distribute gasoline from the facility? A. No. The Yabucoa ... refinery did not make final gasoline. Final gasoline was not produced at the Yabucoa refinery.").
12	DI 12 (identification of MTBE and oxygenated gasoline product codes used in Puerto Rico)	Answer: No such product codes were used by PRSOC; Sunoco, Inc. (R&M) produced documents responsive to this topic regarding race fuel that may have contained MTBE. <i>See</i> DI 20 ("Any product codes and/or product descriptions which identify gasoline products containing MTBE ... and/or any other oxygenates marketed to or within" Puerto Rico).
13	DI 13 (identification of managers of the Yabucoa facility)	Answer: John Shea was the refinery manager during most of the relevant period; he was succeeded by Jose Antonio Morales. <i>See</i> Tr. at 149:9-13 ("Q. Who, do you recall, was the refinery manager while the reformer was in operation? A. 1995. 1995, I believe it was John Shea.").

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14	DI 14 (identification of all MTBE suppliers to the Yabucoa facility)	Answer: None. See Row 4, above.
15	DI 15 (date PRSOC first manufactured gasoline containing MTBE)	Answer: PRSOC did not manufacture finished gasoline. See DI 3 (re supply of gasoline within the Commonwealth, including process by which gasoline was acquired, stored and delivered, and transactions related to supply of gasoline at, to or from any facility, including Yabucoa); DI 11 (re the acquisition of gasoline at, to or from any facility, "including ... the Yabucoa facility"); DI 17 (re operations at any facility from which gasoline was acquired, stored, blended and/or refined, including Yabucoa); Tr. at 46:19-47:1 ("Q. Did Yabucoa, at any time, Puerto Rico Sun Oil, distribute gasoline from the facility? A: No. The Yabucoa ... refinery did not make final gasoline."); Tr. at 85:21-86:14 ("Q. Do you know if Puerto Rico Sun Oil ever tested for MTBE ... as part of its remediation or investigation at the Yabucoa facility? ... [A.] There was no reason for testing MTBE in Yabucoa. In Yabucoa, there was never MTBE brought to the refinery.").
16	DI 16 (date PRSOC last manufactured gasoline containing MTBE)	Answer: PRSOC did not manufacture finished gasoline. See Row 15, above.
17	DI 17 (identification of exchange agreements and exchange partners related to PRSOC)	Answer: Any potentially relevant documents have been or will be produced. See DI 3 (re supply of gasoline within the Commonwealth, including all relevant entities and intermediaries in the supply and delivery of gasoline; process by which gasoline was acquired, stored and delivered, and transactions related to supply of gasoline at, to or from any facility, including Yabucoa); DI 11 (re the acquisition of gasoline at, to or from any facility, "including ... the Yabucoa facility"); Tr. at 138:24 - 139:16 ("Q. Do you know ... if Sunoco had any exchange agreements ...? ... A. I don't know.")
18	DI 18 (describe in detail the last person who had custody and control over PRSOC's	Answer: Sunoco objects to this issue, but has already indicated that certain documents were retained by Sunoco and others were transferred to Shell

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	business records)	Chemical Yabucoa, Inc. See Tr. at 17:15-18:14 (“Q: Did you provide anyone any instructions where to locate those paper files in Puerto Rico? A: [Y]es. But those files belong[ed] to another company by then. ... Shell.”). In addition, this topic is duplicative of DI 26 (re any and all efforts undertaken to respond to Plaintiffs’ discovery requests, including actions undertaken to locate, identify and produce documents); and DI 27 (any and all applicable document retention or destruction policies).
19	DI 19 (identify all documents, facts and witnesses to support any contention that Sunoco did not supply gasoline containing MTBE to Puerto Rico)	Answer: Not applicable; Sunoco has made no such contention. See DIs 2-5 (re supply and delivery of gasoline and MTBE in Puerto Rico); DI 11 (re transactions relating to the acquisition of gasoline at, to or from any facility in Puerto Rico); DI 13 (re transactions relating to the sale of gasoline bound for Puerto Rico); see, e.g., Tr. at 381:17, 384:7, 385:13, 387:20, 389:6, 390:9, 393:19 (identifying particular shipments of gasoline that contained MTBE).
20	DI 20 (Did Sunoco sell Sunoco branded gasoline in Puerto Rico?)	Answer: PRSOC did not sell Sunoco-branded gasoline in Puerto Rico. Sunoco, Inc. (R&M) sold small quantities of Sunoco-branded race fuel (a segregated, specialty product that was sold via distributors and not stored in USTs or sold to retail gasoline stations). See DIs 2-5 (re supply and delivery of gasoline to and within Puerto Rico, including “the sale/purchase of branded gasoline”); Tr. at 220:5-222:17, especially 221:2-4 (testifying that PRSOC “never sold branded gasoline” under a Sunoco brand); 77:10-78:3 (re shipments of Sunoco race fuel to Puerto Rico).
21	DI 21 (Did Sunoco approve/control specifications for gasoline sold under the Sunoco brand name in Puerto Rico?)	Answer: PRSOC did not sell Sunoco branded gasoline in Puerto Rico; Sunoco, Inc. (R&M) controlled specifications of Sunoco race fuel. See Row 20, above.
22	DI 22 (Did PRSOC purchase gasoline from Sunoco, Inc. or Sunoco, Inc. (R&M) per any branded product licensing or sales agreement?)	Answer: No, PRSOC did not purchase any gasoline from Sunoco, Inc. or Sunoco, Inc. (R&M) at all. See Row 20, above.

II. September 13 Notice

	Designated Issue from September 13 Notice	Duplicative Designated Issue(s) from July 9 Notice and Testimony from October 16-17 Rule 30(b)(6) Deposition
1	DI 1 (When did PRSOC first learn of MTBE in any drinking water wells?)	Answer: Based on a diligent search of the available documents, Sunoco has not identified any documents indicating that PRSOC ever learned of MTBE in any drinking water wells. <i>See</i> DI 21 (re decision to use gasoline containing MTBE, including consideration of factors such as MTBE's environmental benefits and costs); DI 22 (re knowledge of MTBE in soils or waters of the Commonwealth, and any studies or investigations relating to MTBE or gasoline containing MTBE).
2	DI 2 (When did PRSOC first learn of MTBE's alleged solubility in water?)	Answer: Based on a diligent search of the available documents, Sunoco has not identified any documents indicating that PRSOC ever learned of MTBE's alleged solubility in water. <i>See</i> DI 21 (re decision to use gasoline containing MTBE, including consideration of factors such as MTBE's environmental benefits and costs, and any studies or investigations relating to MTBE or gasoline containing MTBE).
3	DI 3 (When did PRSOC first learn of MTBE's alleged mobility in water?)	Answer: Based on a diligent search of the available documents, Sunoco has not identified any documents indicating that PRSOC ever learned of MTBE's alleged mobility in water. <i>See</i> Row 2.
4	DI 4 (When did PRSOC first learn of MTBE's alleged persistence in water?)	Answer: Based on a diligent search of the available documents, Sunoco has not identified any documents indicating that PRSOC ever learned of MTBE's alleged persistence in water. <i>See</i> Row 2.
5	DI 5 (When did PRSOC first learn that MTBE allegedly does not biodegrade?)	Answer: Based on a diligent search of the available documents, Sunoco has not identified any documents indicating that PRSOC ever learned that MTBE allegedly does not biodegrade. <i>See</i> Row 2.
6	DI 6 (Did PRSOC's suppliers of gasoline ever communicate to it that MTBE could affect	Answer: Based on a diligent search of the available documents, Sunoco has not identified any documents indicating that PRSOC's suppliers ever

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	drinking water wells?)	communicated to it that MTBE could potentially affect drinking water wells. (Neither Sunoco, Inc. nor Sunoco, Inc. (R&M) supplied PRSOC with gasoline.) <i>See</i> Row 2.
7	DI 7 (Did PRSOC's suppliers of gasoline ever communicate to it that MTBE allegedly needed to be handled differently from gasoline not containing MTBE?)	Answer: Based on a diligent search of the available documents, Sunoco has not identified any documents indicating that PRSOC's suppliers ever communicated to it that gasoline containing MTBE allegedly needed to be handled differently from gasoline not containing MTBE. (Neither Sunoco, Inc. nor Sunoco, Inc. (R&M) supplied PRSOC with gasoline.) <i>See</i> Row 2.
8	DI 8 (Did PRSOC's suppliers of gasoline ever communicate to it that MTBE allegedly is soluble, mobile and persistent in groundwater, and allegedly does not biodegrade?)	Answer: Based on a diligent search of the available documents, Sunoco has not identified any documents indicating that PRSOC's suppliers ever communicated to it that MTBE allegedly is soluble, mobile and persistent in groundwater, and allegedly does not biodegrade. (Neither Sunoco, Inc. nor Sunoco, Inc. (R&M) supplied PRSOC with gasoline.) <i>See</i> Row 2.
9	DI 9 (Did PRSOC's suppliers of gasoline ever provide PRSOC with a copy of the memorandum from W. H. Douthit dated May 14, 1987?)	Answer: Not applicable. None of PRSOC's suppliers had possession, custody or control during the relevant time period of the memorandum from W. H. Douthit dated May 14, 1987. (Neither Sunoco, Inc. nor Sunoco, Inc. (R&M) supplied PRSOC with gasoline.) <i>See</i> Row 2.
10	DI 10 (Did PRSOC's suppliers of gasoline ever communicate to it that it would be appropriate to upgrade or replace USTs at any of PRSOC's stations [sic] in the Commonwealth?)	Answer: Not applicable. PRSOC never owned, operated or had any financial interest in any retail gasoline stations in the Commonwealth. <i>See</i> DIs 2-5 (re supply and delivery of gasoline to and within the Commonwealth, including storage of gasoline, dealership agreements and franchise agreements).